

EXECUTIVE ORDER RP 01
BY THE GOVERNOR OF THE STATE OF TEXAS
THE STATE OF TEXAS – EXECUTIVE DEPARTMENT
RELATING TO EMERGENCY MANAGEMENT

WHEREAS, the Legislature of the State of Texas has heretofore enacted the Texas Disaster Act of 1975, Chapter 418 et seq. of Texas Government Code to:

- (1) Reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or man-made catastrophes, riots, or hostile military or paramilitary actions;
- (2) Prepare for prompt and efficient rescue, care and treatment of persons victimized or threatened by disaster;
- (3) Provide a setting conducive to the rapid and orderly restoration and rehabilitation of persons affected by disaster;
- (4) Clarify and strengthen the roles of the Governor, state agencies, and local governments in the prevention of, preparation for, response to, and recovery from disasters;
- (5) Authorize and provide for cooperation and coordination of activities relating to hazard mitigation, emergency preparedness, incident response, and disaster recovery by agencies and officers of this state, and similar state-local, interstate, federal-state, and foreign activities in which the state and its political subdivisions may participate;
- (6) Provide a comprehensive emergency management system for Texas that is a coordinated effort to make the best possible use of existing organizations and resources within government and industry, and which includes provisions for actions to be taken at all levels of government before, during, and after the onset of an emergency situation;
- (7) Assist in the prevention of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and
- (8) Provide the authority and mechanism to respond to an energy emergency; and,

WHEREAS, under Section 418.013, Texas Disaster Act of 1975, Texas Government Code, the Governor is expressly authorized to establish by executive order an EMERGENCY MANAGEMENT COUNCIL composed of the heads of state agencies, boards, and commissions and representatives of organized volunteer groups to advise and assist the Governor in all matters relating to disaster mitigation, preparedness, response, and recovery; and,

WHEREAS, FURTHER UNDER Section 418.041, Texas Disaster Act of 1975, Texas Government Code, a DIVISION OF EMERGENCY MANAGEMENT is established in the Office of the Governor and the Director of the DIVISION OF EMERGENCY MANAGEMENT is to be appointed by and serve at the pleasure of the Governor; and,

WHEREAS, with the aid and assistance of the EMERGENCY MANAGEMENT COUNCIL and DIVISION OF EMERGENCY MANAGEMENT, the Governor may recommend that cities, counties, and other political subdivisions of the state undertake appropriate emergency management programs and assist and cooperate with those developed at the state level;

NOW, THEREFORE, I, Rick Perry, Governor of Texas, under the authority vested in me, do hereby create and establish the Emergency Management Council (the Council), to be comprised of the heads of the following state agencies, boards, commissions, and organized volunteer groups:

- Adjutant General's Department
- Texas Department of Housing and Community Affairs
- American Red Cross
- Texas Department of Human Services
- Department of Information Resources
- Texas Department of Insurance
- General Land Office *
- Texas Department of Mental Health and Mental Retardation
- General Services Commission
- Texas Department of Public Safety *
- Governor's Division of Emergency Management *
- Texas Department of Transportation *
- Public Utility Commission of Texas
- Texas Education Agency
- Railroad Commission of Texas *
- Texas Workforce Commission
- State Aircraft Pooling Board
- Texas Engineering Extension Service *
- State Auditor's Office
- Texas Forest Service
- State Comptroller of Public Accounts
- Texas Natural Resource Conservation Commission *
- Texas Attorney General's Office
- Texas Parks and Wildlife Department *

- Texas Commission on Fire Protection *
- Texas Rehabilitation Commission
- Texas Department of Agriculture*
- The Salvation Army
- Texas Department of Economic Development
- Texas Animal Health Commission
- Texas Department of Criminal Justice
- Texas Department of Health*

The specific duties and responsibilities of each member of this group shall be as designated in the State Emergency Management Plan and Annexes thereto. Each member of the group may designate a staff member representative to the Council.

I FURTHER hereby designate the Director of the Texas Department of Public Safety to serve as Chairperson of the Council and as Director of the Division of Emergency Management (the Director).

The Division of Emergency Management shall be designated as the agency to exercise the powers granted to me under the Act in the administration and supervision of the Act, including, but not limited to, the power to accept from the federal government, or any public or private agency or individual, any offer of services, equipment, supplies, materials, or funds as gifts, grants, or loans for the purposes of emergency services or disaster recovery, and may dispense such gifts, grants, or loans for the purposes for which they are made without further authorization other than as contained herein.

The Director shall establish emergency operations areas to be known as Disaster Districts which shall correspond to the boundaries of the Texas Highway Patrol Districts and Sub-Districts and shall establish in each a Disaster District Committee composed of representatives of the state agencies, boards, commissions, and organized volunteer groups having membership on the COUNCIL.

The Highway Patrol Commanding Officer of each Highway Patrol District or Sub-District shall serve as Chairperson of the Disaster District Committee and report to the Director on matters relating to disasters and emergencies. The Chairperson shall be assisted by the COUNCIL representatives assigned to that DISTRICT, who shall provide guidance, counsel, and administrative support as may be required.

The COUNCIL is hereby authorized to issue such directives as may be necessary to effectuate the purpose of the Texas Disaster Act of 1975, as amended, and is further authorized and empowered to exercise the specific powers enumerated in the Act.

To carry out certain state emergency planning, community right-to-know, and response functions relating to hazardous materials, a standing element of the Emergency Management Council, designated the STATE EMERGENCY RESPONSE COMMISSION, will be composed of representatives named by the chief executive officers of the agencies and commissions marked with an asterisk (*) in the listing of the Emergency Management Council above.

The State Coordinator shall chair the State Emergency Response Commission or designate a chairperson.

Further, in accordance with Sections 418.102, 418.103, and 418.105 Texas Disaster Act of 1975, Texas Government Code, and published rules of the DIVISION OF EMERGENCY MANAGEMENT, I hereby designate the Mayor of each municipal corporation and the County Judge of each county in the state as the Emergency Management Director for each such political subdivision.

The County Judge and Mayor shall serve as the Governor's designated agents in administration and supervision of the Texas Disaster Act of 1975, and may exercise the powers, on an appropriate local scale, granted the Governor therein.

The Mayor and County Judge may each designate an Emergency Management Coordinator who shall serve as assistant to the presiding officer of the political subdivision for emergency management purposes when so designated.

By the authority vested in me under Section 418.104, Texas Disaster Act of 1975, Texas Government Code, I further hereby authorize each political subdivision of the state to establish in the county in which they are sited, inter-jurisdictional agencies by intergovernmental agreement, supported as needed by local City Ordinance or Commissioner's Court Order, in cooperation and coordination with the DIVISION OF EMERGENCY MANAGEMENT of the Governor's Office.

In compliance with Section 418.101, Texas Government Code, the presiding officer of each political subdivision shall promptly notify the DIVISION OF EMERGENCY MANAGEMENT of the manner in which it is providing or securing an emergency management program and the person designated to head that program.

This executive order supersedes Executive Order GWB 95-1b, and shall remain in effect until modified, amended or rescinded by me or by a succeeding Governor.

Given under my hand this the 29th day of March, 2001.

[SIGNED]
RICK PERRY
GOVERNOR OF TEXAS

[SIGNED}
HENRY CUELLAR, Ph.D.
SECRETARY OF STATE